THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.16958 of 2006

Dated:25-08-2006

Between:

Mutyala Linganna ..... Petitioner

And

The Joint Collector, Nizamabad and others

..... Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.16958 of 2006

ORDER:

1. Heard the counsel.

2. The writ petition is filed for a Writ of Mandamus declaring the nomination of the 3rd respondent as null and void and consequently direct the respondents 1 and 2 not to give effect to the result of the elections held to the office of Sarpanch of Dhanpal Village, Morthad Mandal, Nizamabad District and pass such other suitable orders.

3. It is stated that the petitioner and the 3rd respondent submitted their nominations on 15-7-2006 for the post of Sarpanch. It is also stated that the petitioner submitted his objections before the second respondent for the nomination of the 3rd respondent since his 3rd child born after one year from the date of commencement of the A.P. Panchayat Raj Act,1994. In spite of the objections raised, the nomination of the third respondent was accepted by the second respondent. It is need less to say that this aspect may have to be gone into in an election petition. Liberty is given to the petitioner to approach appropriate election tribunal.

4. With the above observation, the writ petition is disposed of. No order as to costs.

_____
25-08-2006

Stp